



House of Representatives

General Assembly

File No. 369

January Session, 2009

Substitute House Bill No. 5819

House of Representatives, March 31, 2009

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT ALLOWING THE PRODUCTION AND SALE OF ACIDIFIED FOOD PRODUCTS ON RESIDENTIAL FARMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-24a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2010*):

3 (a) As used in this section:

4 (1) "Acidified food product" means a canned food item, with a pH
5 value of 4.6 or less upon completion of the recipe for such product,
6 including, but not limited to, pickles, salsa and hot sauce, produced on
7 the premises of a residential farm. Acidified food products do not
8 include food consisting in whole or in part of milk or milk products,
9 eggs, meat, poultry, fish, shellfish, edible crustacean ingredients or
10 other ingredients, including synthetic ingredients, in a form capable of
11 supporting rapid and progressive growth of infectious or toxigenic
12 microorganisms.

13 [(1)] (2) "Jam" means a food, with a pH value of 4.6 or less, made by
14 cooking fruit with sugar to a thick mixture.

15 [(2)] (3) "Jelly" means a food, with a pH value of 4.6 or less, made by
16 cooking fruit juice that has been boiled with sugar.

17 [(3)] (4) "Preserves" means a food, with a pH value of 4.6 or less,
18 consisting of fruit preserved whole by cooking with sugar.

19 [(4)] (5) "Residential farm" means property (A) being utilized as a
20 farm, as defined in subsection (q) of section 1-1, and (B) serving as the
21 primary residence of the owner of such property.

22 (6) "Canned" means hermetically sealed in an air-tight container and
23 heated to a temperature that destroys microorganisms.

24 (b) Notwithstanding the provisions of sections 21a-91 to 21a-120,
25 inclusive, and section 19-13-B40 of the regulations of Connecticut state
26 agencies, the preparation and sale of acidified food products, jams,
27 jellies or preserves on a residential farm shall be allowed in a room
28 used as living quarters and exempt from inspection by any state or
29 local agency, provided such acidified food products, jams, jellies or
30 preserves are prepared with fruit or vegetables grown on such farm.
31 Each container of acidified food products, jam, jelly or preserves
32 offered for sale on such farm shall have on its label, in ten-point type:
33 "Not prepared in a government inspected kitchen".

This act shall take effect as follows and shall amend the following sections:

Section 1	January 1, 2010	21a-24a
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ENV Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact since the bill exempts certain acidified foods from a labeling requirement and adds vegetables grown on a residential farm as permissible ingredients in an item offered for sale on the farm.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5819*****AN ACT ALLOWING THE PRODUCTION AND SALE OF ACIDIFIED FOOD PRODUCTS ON RESIDENTIAL FARMS.*****SUMMARY:**

Current law allows the sale of jams, jellies, or preserves on a residential farm that were prepared (1) with fruit grown on the farm and (2) in a room on the farm that is used as living quarters and exempts their preparation from any state or local agency inspection. It requires each jam, jelly or preserves container offered for sale on the farm to have on its label, in ten-point type: "Not prepared in a government inspected kitchen." This bill adds (1) "acidified foods" to this exemption and labeling requirement and (2) vegetables grown on the farm as permissible ingredients.

The bill defines:

1. "acidified food product" as a canned food item with a pH value of 4.6 or less upon completion of the recipe making the product, including pickles, salsa and hot sauce, produced on the premises of a residential farm, and that does not include food consisting in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacean ingredients or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms, and
2. "canned" as hermetically sealed in an air-tight container and heated to a temperature that destroys microorganisms.

EFFECTIVE DATE: January 1, 2010

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/13/2009)